

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

**Timothy A. Stewart aka Timothy Alan
Stewart;
Gretchen W. Stewart aka Gretchen J.
Stewart, fka Gretchen Joyce Wagner, aka
Gretchen Wagner Gettens**

Debtor(s)

Timothy A. Stewart & Gretchen Stewart

Movants

vs.

Freedom Mortgage Corporation

Respondent

**Ronda J. Winnecour,
Trustee**

BK NO. 15-23443 CMB

Chapter 13

Related Documents: 80, 81, 82

Freedom Mortgage Corporation, by and through its counsel, KML Law Group, P.C. hereby responds to debtors Motion to Enforce Trustee's Report as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Denied.
7. Denied. The Response to Notice of Final Cure agreed that the debtor had cured the pre-petition arrears in Part 2 and agreed that the debtor was post-petition current with the next post-petition payment being due on 11/1/2020.
8. Admitted.

9. Admitted. The last payment made by the Chapter 13 Trustee was on 10/26/2020 in the amount of \$1,275.58. The total amount disbursed by the Chapter 13 Trustee for the mortgage in question was \$78,304.77.

10. Admitted.

11. Admitted.

12. Admitted.

13. Admitted. No payment was made by the Debtor or Trustee in November 2020.

14. Denied. The Bankruptcy was filed on 9/18/2015. As such, the first post-petition payment was due on 10/1/2015. Pursuant to the Proof of Claim and Notice of Payment Changes the post-petition payments were:

| DOC: | FILED: | EFFECTIVE: | PAY AMOUNT |
|------|------------|------------|---------------|
| POC | 11/25/2015 | 10/1/2015 | 1254.76 |
| NOPC | 8/29/2016 | 10/1/2016 | 1266.46 |
| | 8/29/2017 | 10/1/2017 | 1251.86 |
| | 12/11/2018 | 1/1/2019 | 1269.57 |
| | 11/7/2019 | 12/1/2019 | 1275.58 |
| | 11/4/2020 | 12/1/2020 | 1275.65 |

15. Denied insofar as the documents speak for themselves.

16. Admitted.

17. Respondent is without information or belief as to the communications between the Trustee and Debtor.

18. Denied.

19. Denied.

20. Denied.

21. Denied.

Wherefore, respondent, Freedom Mortgage Company respectfully requests that the motion be denied in its entirety.

Respectfully submitted,

/s/ Brian C. Nicholas, Esq.
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